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FAX FILING IN U.S. PATENT & TRADEMARK OFFICE

DATE: May 17, 2005

TIME: _____

TO:	Examiner Paulette Kidwell	FAX NO.:	703/746-6707
FROM:	Daniel N. Calder	ADMIN. ASST.:	Lorraine C. Fox
APPLN. NO.:	10/518,799	ATTY. DOCKET NO.:	C&P-139US
TITLE OF APPLN.: CONTROL UNIT FOR CONTROLLING THE DELIVERY OF A COMBUSTIBLE GAS IN VALVE UNITS			
FILING DATE:	December 20, 2004	ART UNIT:	...
FIRST INVENTOR:	Massimo GIACOMELLI	CONF. NO.:	3630
TITLE OF DOCUMENT (and List of Attachments): Communication with copy of Notification of Missing Requirements			

Total Number of Pages: 2 (including this form)

COMMENTS

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PTO/SB/21 (09-04) (AW 10/2004)

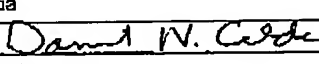
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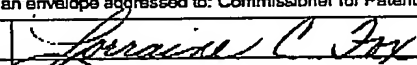
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/518,789
	Filing Date	December 20, 2004
	First Named Inventor	Massimo GIACOMELLI
	Art Unit	to be assigned
	Examiner Name	Paulette R. Kidwell
Total Number of Pages in This Submission	Attorney Docket No.	C&P-139US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication (2); Copy of Notification of Missing Requirements (2)
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	RatnerPrestia		
Signature			
Printed Name	Daniel N. Calder		
Date	May 17, 2005	Registration No.	27,424

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or Printed Name	Lorraine C. Fox	Date	May 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appln: No. 10/518,799

C&P-139US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/518,799
Applicants: Massimo GIACOMELLI et al.
Filed: December 20, 2004
Title: CONTROL UNIT FOR CONTROLLING THE DELIVERY OF A
COMBUSTIBLE GAS IN VALVE UNITS
T.C./A.U.: TO BE ASSIGNED
Examiner: Paulette R. Kidwell
Confirmation No.: 3630
Docket No.: C&P-139US

COMMUNICATION IN RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notification of Missing Requirements (copy attached) was issued with respect to the above identified application. Applicants respectfully submit that the Notification of Missing Requirements was issued in error.

The Notification of Missing Requirements indicates that an oath or declaration of the inventors is required. However, the above identified application was filed under Rule 4.17 and thus a declaration was filed at the time of the PCT filing. See the attached copy of the first page of International Publication Number WO 2004/001292 A1 which clearly indicates that a Rule 4.17 declaration was filed for the U.S. The undersigned's Administrative Assistant, Lorraine Fox, spoke to Examiner Kidwell about this matter on May 5, 2005. Upon rechecking the file, Examiner Kidwell acknowledged that there was indeed a declaration filed under Rule 4.17. Applicants therefore request that the Notification of Missing Requirements be withdrawn and the above identified application should proceed to examination.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424
Attorney for Applicants

DNC/lcf

Attachments: Notification of Missing Requirements;
First Page of International Publication Number WO 2004/001292 A1

Dated: May 17, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700


Page 1

Appln: No. 10/518,799

C&P-139US

The Commissioner for
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authorized to charge
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Office (703/746-6707) on the date shown
below. May 17, 2005



Lorraine C. Fox

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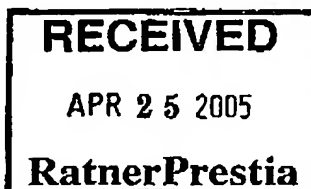


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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,799	Massimo Giacomelli	C&P-139US

23122
RATNERPRESTIA
P O BOX 980
VALLEY FORGE, PA 19482-0980



INTERNATIONAL APPLICATION NO.	
PCT/IT02/00409	
LA. FILING DATE	PRIORITY DATE
06/21/2002	

CONFIRMATION NO. 3630
371 FORMALITIES LETTER
OC000000015766215

Date Mailed: 04/19/2005

Missing Rea Due (2mo) 6-19-05

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2004
- Copy of the International Search Report filed on 12/20/2004
- Preliminary Amendments filed on 12/20/2004
- Information Disclosure Statements filed on 12/20/2004
- Oath or Declaration filed on 12/20/2004
- Request for Immediate Examination filed on 12/20/2004
- U.S. Basic National Fees filed on 12/20/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,799	PCT/IT02/00409	C&P-139US

FORM PCT/DO/EO/905 (371 Formal/tes Notice)